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| 10/531,096 | 12/23/2005 | Caroline Kouts | | 2145 |

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| EXAMINER |
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O HERN, BRENT T

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| ART UNIT | PAPER NUMBER |
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1772

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| MAIL DATE | DELIVERY MODE |
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08/28/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|-------------------------------|---------------------------------|--|
| Office Action Summary | Application No. 10/531,096 | Applicant(s) KOUTS, CAROLINE | |
| | Examiner Brent T. O'Hern | Art Unit 1772 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 20 July 2007 has been entered.

Claims

2. Claims 13-21 are pending.

WITHDRAWN OBJECTIONS

3. The objections of record in the Office Action mailed 18 January 2007, page 2, paragraph 5 have been withdrawn due to Applicant's amendments in the Paper filed 20 July 2007.

WITHDRAWN REJECTIONS

4. The 35 U.S.C. 102(b) rejections of claims 13-17 and 19-21 as being anticipated by Lewis (US 5,481,767) of record in the Office Action mailed 18 January 2007, page 3, paragraph 6 have been withdrawn due to Applicant's amendments in the Paper filed 20 July 2007.

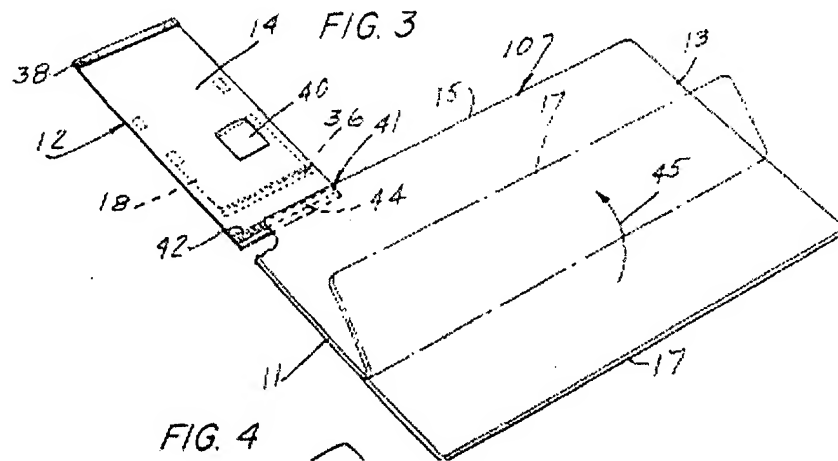
5. The 35 U.S.C. 103(a) rejections of claim 18 as being unpatentable over Lewis (US 5,481,767) in view of Rocha (US 5,275,463) of record in the Office Action mailed 17 April 2006, page 6, paragraph 7 have been withdrawn due to Applicant's amendments in the Paper filed 20 July 2007.

NEW REJECTIONS

Claim Rejections - 35 USC § 102

6. Claims 13-17 and 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Lewis (US 5,481,767).

Regarding claim 13, Lewis ('767) teaches a mat capable of being in both an open orientation and a closed orientation (See FIG-3, #10 open orientation and FIG-1, #10 closed orientation.), comprising



a surface having a removable fabric mat (FIG-3, #10);

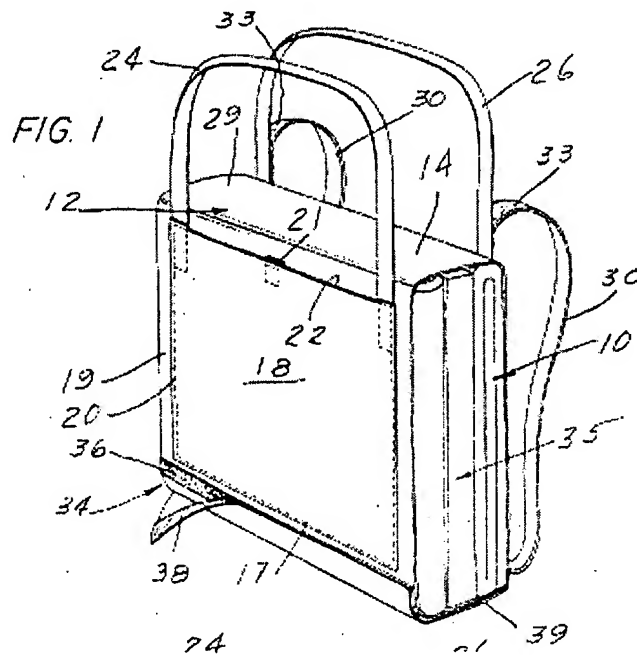
a substantially elongate portion (FIG-3, #14) engagable with the removable fabric mat on the surface (See FIG-3, wherein #14 and #10 are attached by hook and loop fasteners #42 and #44.);

side storage portions having pockets for storing items, the side storage portions, in the open orientation, extend laterally from, and at least partially along, each length of the substantially elongate portion on opposing sides thereof, so that the mat has a substantially cruciform shape (Note that Applicant does not have any express support for "substantially cruciform shape" in the text of Applicant's Specification. See FIG-3,

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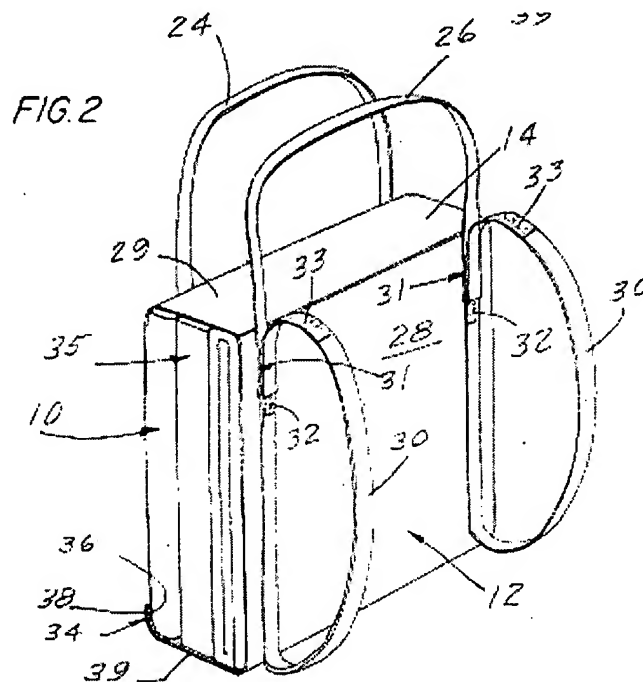
pockets #18 and #40 and col. 3, ll. 39-42, plurality of pockets which form a substantially cruciform shape when extended outward. Furthermore, note that when viewed from the location of attachment of carrier #12 to blanket #10 at location #41, with tapered sides, the carrier #12 extends upward and the blanket #10 extends downward. Additionally both #12 and #10 extend to the sides away from #41, thus a cruciform shape.),

the mat being foldable and able to be fastened, via fastening means, in the closed orientation into a portable bag with space within the side storage portions being accessible by opening a top portion of said portable bag (See col. 2, l. 60, "folded", FIG-1 hook and loop fasteners #36 and #38, portable bag of FIG-2. Furthermore the storage portions are clearly accessible by opening the bag.); and a means for carrying the mat (See FIG-1, straps #24 and #26.).



Regarding claim 14, Lewis ('767) teaches a mat wherein the means for carrying the mat is a handle attached to an additional surface of the mat (FIG-1, #24 and #26).

Regarding claim 15, Lewis ('767) teaches a mat wherein the substantially elongate portion (*FIG-3, #14*) has a first end that is foldable and engagable with the fastening means on the side storage portions with the first end of the substantially elongate portion forming a front face of a bag so that in this partially closed orientation, access is available to items stored in said side storage portions (*See FIG-2 wherein #14 is foldable and wrappable around #10 and fastened by hook and loop fasteners, #36 and #38. Furthermore, the storage portions are clearly accessible.*).



Regarding claim 16, Lewis ('767) teaches a mat wherein the substantially elongate portion has a second end that opposes the first end, the second end being foldable over the front face and capable of being fastened thereto (*FIG-2 wherein #14 is wrapped around #10 and fastened by hook and loop fasteners, #36 and #38*).

Regarding claim 17, Lewis ('767) teaches a mat comprising a cover for closing the portable bag (*FIG-1, covering #12*).

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Regarding claim 19, Lewis ('767) teaches a mat wherein the means for carrying the mat is a handle attached to an upper surface of the portable bag in the closed orientation of the mat (*FIG-1, handles #24 and #26*).

Regarding claim 20, Lewis ('767) teaches a mat wherein the means for carrying the mat include back straps for carrying the mat in the closed orientation (*FIG-2, #30*).

Regarding claim 21, Lewis ('767) teaches a mat further comprising storage pockets on a front face of the portable bag in the closed orientation (*FIG-1, open end #22 of pocket #18*).

Claim Rejections - 35 USC § 103

7. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis (US 5,481,767) in view of Rocha (US 5,275,463).

Lewis ('767) teaches the mat discussed above, however, fails to teach wherein the fastening means are snap locks.

However, Rocha ('463) teaches wherein the fastening means are snaps, hook and loops or other functionally equivalent fastening means (*col. 4, l. 3, col. 3, ll. 49-53 and FIG-6, #45 and #48*) for the purpose of providing an easily adjustable fastening means (*col. 3, ll. 52-54*).

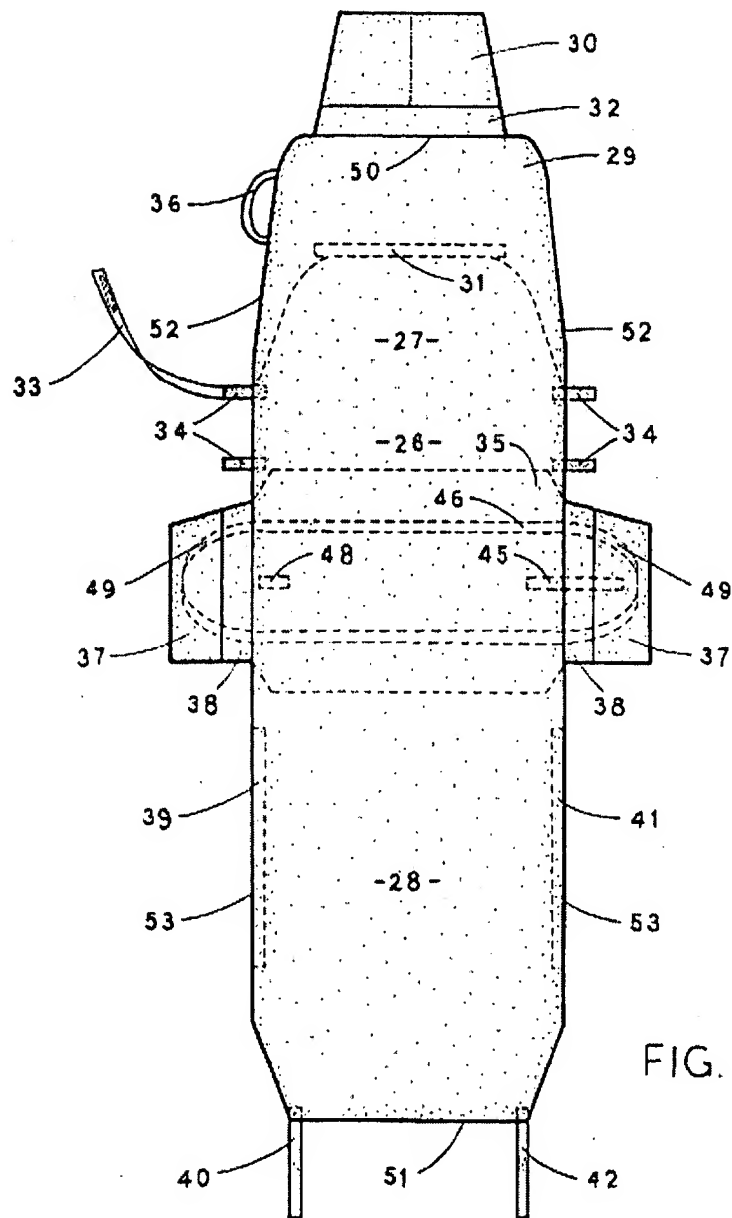


FIG. 6

Therefore, it would have been obvious to one having ordinary skill in the art at the time applicant's invention was made to modify Lewis's ('767) hook and loop fasteners with functionally equivalent snaps as taught by Rocha ('463) in order to provide a mat as described above since Lewis ('767) and Rocha ('463) are both directed towards rolled mats.

ANSWERS TO APPLICANT'S ARGUMENTS

8. In response to Applicant's argument (*p. 6, para. 2 to p. 7, para. 1, p. 8, para. 2 and p. 9, para. 2 of Applicant's Paper filed 20 July 2007*) that Lewis ('767) does not teach the new limitations of amended claims 13 and 15, it is noted that the teachings of Lewis ('767) are discussed above.

9. In response to Applicant's argument (*p. 8, para. 1 of Applicant's Paper filed 20 July 2007*) that Lewis ('767) does not teach a "substantially cruciform shape" of claim #13, it is firstly noted that Applicant does not have explicit support within the text of Applicant's Specification for said limitation. Secondly, it is noted that Lewis ('767) clearly teaches said shape as illustrated in FIG-2. Note than when viewed from the location of attachment of carrier #12 to blanket #10 at location #41, with tapered sides, the carrier #12 extends upward and the blanket #10 extends downward. Additionally both #12 and #10 extend to the sides away from #41.

10. In response to Applicant's argument (*p. 9, para. 1 of Applicant's Paper filed 20 July 2007*) that Lewis ('767) does not teach side storage portions, it is noted that Lewis ('767) clearly teaches said portions as discussed above. Furthermore, it is noted that the locations of said portions is determinative on a reference point and Applicant has not set forth a reference point that excludes the teachings of Lewis ('767).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent T. O'Hern whose telephone number is (571) 272-0496. The examiner can normally be reached on M-Th, 9:00-6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on (571) 272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Brent T O'Hern
Examiner
Art Unit 1772
August 15, 2007


8/23/07
NASSER AHMAD
PRIMARY EXAMINER